

REMARKS

Claims 1, 6, 7, 13, 17, 29, 34-39, and 42-51 are pending in the current application, with claim 51 being newly presented for Examination by this Amendment. Claims 1, 6, 7, 13, 17, 29, 34-39, and 42-50 currently stand rejected, and claims 1, 7, 13, 17, 35, 38, 44, 46, 48, and 50 are amended. Reconsideration and allowance of claims 1, 6, 7, 13, 17, 29, 34-39, and 42-51 are respectfully requested in light of the preceding amendments and following remarks.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 6, 7, 13, 17, 29, 34-39, and 42 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over US Pat Pub 2007/0140653 to Kozuka et al. (“Kozuka”). Applicants respectfully traverse this rejection for the reasons detailed below.

Initially, Applicants note that each independent claim has been amended to recite a “resume flag indicating that, when a **resume command for a second title of the plurality of titles is executed**, the resumption of the second title is prohibited and a **first title of the plurality of titles is reproduced instead.**” In Kozuka, all resumption of reproduction occurs within the same title. If the resume_intension_flag is set to “ON” in Kozuka, **a same movie object is resumed** from where it was interrupted by a menu-call usage movie object command. See Kozuka, ¶¶ [0130], [0133]. If the resume_intension_flag is set to “OFF” in Kozuka, **a same title is resumed** from

its start after being interrupted by a menu call. *See* Kozuka, ¶¶ [0140], [0130], [0131]; FIGS. 14A-14C. That is, Kozuka never resumes reproduction with a different title based on its resume flag, as recited in the independent claims as amended. As such, Kozuka lacks a resume flag having the recited functionality.

Because Kozuka fails to teach each and every element of claims 1, 13, 17, 35, and 38, Kozuka cannot anticipate or render obvious claims 1, 13, 17, 35, or 38. Claims 6, 7, 29, 34, 36, 37, and 42-51 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection under 35 U.S.C. § 102(e) to claims 1, 6, 7, 13, 17, 29, 34-39, and 42-50 is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1, 6, 7, 13, 17, 29, 34-39, and 42-51 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Terry L. Clark at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



Terry L. Clark, Reg. No. 32,644

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

QA
TLC/REA: tlt
978658.1